



Tennessee Department of Environment and Conservation,  
Division of Water Resources  
William R. Snodgrass-Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor, Nashville, TN 37243  
(615) 532-0625

**CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)  
STATE OPERATING PERMIT (SOP)  
NOTICE OF INTENT (NOI)**

Type of permit you are requesting: ☐ SOPCD0000 (designed to discharge) ☐ SOPC00000 (no discharge) ☐ Unknown, please advise  
Application type: ☒ New Permit ☐ Permit Reissuance ☐ Permit Modification  
If this NOI is submitted for Permit Modification or Reissuance provide the existing permit tracking number: \_\_\_\_\_

**OPERATION IDENTIFICATION**

Operation Name: <u>Proctor Poultry - new addition</u>		County: <u>Bedford</u>
Operation Location/ Physical Address: <u>400 Whitaker Rd Shelbyville, TN 37160</u>		Latitude: <u>35.468751</u> Longitude: <u>86.628007</u>
Name and distance to nearest receiving water(s):		
If any other State or Federal Water/Wastewater Permits have been obtained for this site, list those permit numbers: <u>0</u>		
Animal Type: <input checked="" type="checkbox"/> Poultry <input type="checkbox"/> Swine <input type="checkbox"/> Dairy <input type="checkbox"/> Beef <input type="checkbox"/> Other _____		
Number of Animals: <u>260,000</u>	Number of Barns: <u>6</u>	Name of Integrator: <u>TYSON FOODS</u>
Type of Animal Waste Management: (check all that apply) <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Liquid <input type="checkbox"/> Liquid, Closed System (i.e. covered tank, under barn pit, etc.)		
Attach the NMP <input type="checkbox"/> NMP Attached	Attach the closure plan <input type="checkbox"/> Closure Plan Attached	Attach a topographic map <input type="checkbox"/> Map Attached

**PERMITTEE IDENTIFICATION**

Official Contact (applicant): <u>Harvey Proctor</u>	Title or Position: <u>owner / operator</u>		<input type="checkbox"/> Correspondence <input type="checkbox"/> Invoice
Mailing Address: <u>400 Whitaker Rd</u>	City: <u>Shelbyville</u>	State: <u>TN</u> Zip: <u>37160</u>	
Phone number(s): <u>740-516-9033</u>	E-mail: <u>ProctorPoultry@gmail.com</u>		<input type="checkbox"/> Correspondence <input type="checkbox"/> Invoice
Optional Contact: <u>Corey Proctor</u>	Title or Position:		
Address: <u>344 Whitaker Rd</u>	City: <u>Shelbyville</u>	State: <u>TN</u> Zip: <u>37160</u>	
Phone number(s): <u>740-516-9034</u>	E-mail: <u>ProctorPoultry@gmail.com</u>		

**APPLICATION CERTIFICATION AND SIGNATURE** (must be signed in accordance with the requirements of Rule 0400-40-05-.14)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name and title; print or type <u>Harvey Proctor / owner</u>	Signature <u>Harvey Proctor</u>	Date <u>4-18-17</u>
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**STATE USE ONLY**

Received Date	Reviewer	EFO	T & E Aquatic Fauna	Tracking No.
	Impaired Receiving Stream	High Quality Water		NOC Date

## CAFO NOTICE OF INTENT INSTRUCTIONS

**Background.** All operations defined as CAFOs (concentrated animal feeding operation) must seek coverage under a permit. Operations that meet the Class II size criteria (TDEC Rule 0400-40-05-.14) and that discharge or that propose to discharge (...if designed, constructed, operated or maintained such that a discharge will occur) need coverage under the General State Operating Permit (SOP) for Concentrated Animal Feeding Operations, Permit Number SOPCD0000. Operation meeting the size criteria for either a Class I or Class II operation that do not discharge and that do not propose to discharge, but otherwise meet criteria in state rules need coverage under the General State Operating Permit (SOP) for Concentrated Animal Feeding Operations (CAFOs), Permit Number SOPC00000. AFOs (animal feeding operations) meeting or exceeding the size thresholds in column 1 of table 0400-40-05-14.1 are considered large (Class I) CAFOs. Class I CAFOs that propose to discharge must apply for an individual NPDES permit (application forms are available at: <http://www.state.tn.us/environment/permits/h2oforms.shtml>). All other CAFOs must apply for a state permit using this form. This form must be submitted at least 180 days before a CAFO commences operation.

**Complete the form.** Type or print clearly, using black or blue ink; not markers or pencil. Answer each item or enter "N/A," for not applicable. If you need additional space, attach a separate piece of paper to the NOI. Applicants must submit a NMP (Nutrient Management Plan), and a closure plan along with this NOI. **The application will be considered incomplete without supplying all of the required information.**

**Operation Identification.** Describe and locate the project, use the legal or official name of the facility or site. Provide the latitude and longitude (expressed in decimal degrees) of the center of the site, which can be located on USGS quadrangle (i.e. topographic) maps. Topographic maps may be obtained at the USGS website: <http://store.usgs.gov>. Attach a copy of a portion of a 7.5 minute quad map (i.e. 1:24,000-scale topographic map), showing location of site, with boundaries at least one mile outside the site boundaries.

**Permittee Identification. Official Contact** – Provide the name, telephone number, address, and E-mail address of the person or corporation which proposes to operate or operates and/or profits from this AFO. **Facility Contact** – Provide the name, telephone number, address, and E-mail address of the person most familiar with the operation and with the facts reported in the NOI. This person may be contacted by the division, if necessary. Indicate where to send correspondence and invoices.

**Fees.** There is no application fee for this permit. An annual maintenance fee may be required and you will be invoiced at a later date.

**Submitting the form and obtaining more information.** Note that this form must be signed by the chief executive officer, owner, or highest ranking elected official. Submit a complete application to both the Tennessee Department of Agriculture (TDA) and to TDEC-WPC; keep a copy for your records. Original documents should be sent to TDEC-WPC and a copy should be sent to TDA, at the addresses below:

CAFO Notice of Intent TDEC Division of Water Resources William R. Snodgrass - Tennessee Tower 312 Rosa L. Parks Avenue, 11 <sup>th</sup> Floor Nashville, TN 37243	CAFO Notice of Intent Water Resources TDA-Ellington Agricultural Center PO Box 40627 Nashville, TN 37204
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Upon receipt of the required items the division will conduct a review of the material, and notify the applicant of any deficiencies. Notification may also come from the Tennessee Department of Agriculture, which reviews the NMP. When all the deficiencies have been corrected, the division will process the NOI and issue permit coverage.

The division has the right to inspect a facility when deemed necessary. In addition, the division has the right to revoke or suspend any permit for violation of permit conditions or any other provisions of the Tennessee Water Quality Control Act and other water pollution control rules.

The division is responsible for regulating any activity, which involves a potential discharge in order to protect waters of the State from pollution and to maintain the highest possible standards in water quality.

**Obtaining more information/assistance** For more information or assistance, contact your local Environmental Field Office (EFO), toll-free, at 1-888-891-8332 (TDEC) or at the number listed below.

EFO	Street Address	City	Zip Code	Telephone
Chattanooga	540 McCallie Avenue STE 550	Chattanooga	37402	(423) 634-5745
Columbia	1421 Hampshire Pike	Columbia	38401	(931) 380-3371
Cookeville	1221 South Willow Ave.	Cookeville	38506	(931) 432-4015
Jackson	1625 Hollywood Drive	Jackson	38305	(731) 512-1300
Johnson City	2305 Silverdale Road	Johnson City	37601	(423) 854-5400
Knoxville	3711 Middlebrook Pike	Knoxville	37921	(865) 594-6035
Memphis	8383 Wolf Lake Drive	Bartlett	38133	(901) 371-3000
Nashville	711 R S Gass Boulevard	Nashville	37216	(615) 687-7000

Proctor Poultry  
Facility Name

## Declarations to Nutrient Management Plan:

By my signature below, I affirm that I have read, understand, and will comply with the following stipulations from Tennessee's CAFO regulations that apply to my CAFO operation:

- 1) All animals in confinement are prevented from coming in direct contact with waters of the state.
- 2) All chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless specifically designed to treat such chemicals and other contaminants.
- 3) Pesticide-contaminated waters will be prevented from discharging into waste retention structures. Waste from pest control and from facilities used to manage potentially hazardous or toxic chemicals shall be handled and disposed of in a manner that will prevent pollutants from entering waste retention structures or waters of the state.
- 4) Chemicals, manure/litter, and process wastewater will be managed to prevent spills. Spill clean-up plans will be developed and any equipment needed for spill clean-up will be available to facility personnel.
- 5) All sampling of soil and manure/litter is conducted according to protocols developed by UT Extension.
- 6) All records outlined in the permit that I am applying for will be maintained and available on-site.
- 7) Any confinement buildings, waste/wastewater handling or treatment systems, lagoons, holding ponds, and any other agricultural waste containment/treatment structures constructed or modified after April 13, 2006, are or will be located in accordance with NRCS Conservation Practice Standard 313.
- 8) A copy of the most recent Nutrient Management Plan will be kept as part of the farm records and will be maintained and implemented as written.
- 9) If applicable, all waste directed to under floor pits shall be composed entirely of wastewater (i.e. washwater and animal waste).
- 10) The Tennessee Department of Environment and Conservation Division of Water Resources will be notified of any significant wildlife mortalities near retention ponds or following any land application of animal wastes to fields.
- 11) All employees involved in work activities that relate to permit compliance will receive regular training on proper operation and maintenance (O&M) of the facility and waste disposal. Training shall include appropriate topics, such as land application of wastes, good housekeeping and material management practices, proper O&M of the facility, record keeping, and spill response and clean up. The periodic scheduled dates for such training shall be identified in the current Nutrient Management Plan.
- 12) There shall be no land application of nutrients within 24 hours of a precipitation event that may cause runoff. The operator shall not land apply nutrients to frozen, flooded, or saturated soils.

Nancy Proctor  
Signature of CAFO Owner/Operator

4-18-17  
Date

# Nutrient Management Plan - Poultry

Exporting 100% of Litter Generated

## 1. Farmer/ Producer Information

Is ALL litter removed from your farm (i.e. you not apply litter on your land)?\*

\*If the answer is "No," do not complete this form.

Yes	No
Please circle one	

First Name: Harvey Procter

Last Name:

Farm/ Operation Name: Procter Poultry

Tennessee County: Bedford

## 2. Volumes and Calculations

Poultry Type:

Broiler	Pullet	Layer
circle the type(s)		

Key

**A** Number of birds per house per grow-out:

43,000

**B** Number of Houses:

6

**C** Number of Grow-Outs / Year:

5

**D** Average Weight of Litter Produced (lbs.)/ Bird / Grow-Out (see Table at right or use your farm average if known)

2.4

The amount of litter removed from a poultry house will vary depending on the litter moisture content, type and size of birds, and length of time birds are kept in house. Below is a Table summarized from the NRCS Poultry System Calculator V10.0 to assist in placing the litter amount produced per bird and assist in litter calculations.

Type of Bird	Market/ Mature Weight (lbs)	Avg. Weight of Litter Produced (lbs)/ Bird / Grow-Out
Broilers	small (3.8 - 5.8)	2.1
	large (5.9 - 7+)	2.4
	8 - 12	8
Pullet	5.5	3

Take **Bolded** Letters in **Key** Column Above and Below to Assist in Calculating Values Below

Number of Birds per Grow-Out =  $A \times B =$  258,000

Number of Birds Example: If  $A = 22,000$  and  $B = 2$  and  $C = 5.5$  then:

$22,000 \times 2 = 44,000$  number of birds

KEY

**E** Number of Birds per Year =  $A \times B \times C =$

1,240,000

Number of Birds per Year Example: If  $A = 22,000$  and  $B = 2$  and  $C = 5.5$  then:

$22,000 \times 2 \times 5.5 = 242,000$  number of birds per year

Total Tons of Litter Produced per Year on the Farm =  $E \times D / 2,000 =$

1.548

Tons of Litter Produced Example: If  $E = 242,000$  and  $D = 2.1$  lbs. then:

$242,000 \times 2.1 \text{ lbs} = 508,200 \text{ lbs.} / 2,000 = 254 \text{ Tons}$

# Nutrient Management Plan - Poultry

Exporting 100% of Litter Generated

## 2. Litter Handling and Storage

### Litter Storage Capacity

**Key** Storage Capacity within Poultry Houses (cu ft) 11,500 No. of Houses 6  
*Length of poultry house (ft) X Width of poultry house (ft) X Height of litter (ft) = cubic feet of storage*

**A** Total capacity within poultry barns (cu ft) X number of barns 99,000 cu ft

Storage Capacity within Litter Sheds (cu ft) 0 No. of Sheds 0  
*Length of litter shed (ft) X Width of litter shed (ft) X Height of litter (ft) = cubic feet of storage*

**B** Total capacity within litter storage sheds (cu ft) X number of sheds 0 cu ft

**C** Storage Capacity of Other Storage Areas, if Applicable (cu ft) 0

**Total Litter Storage Capacity Onsite (A + B + C)** 99,000 cu ft

### Litter Contents from Manure Analysis (as is basis)\*

\* Manure analyses will be performed annually, and the results will be provided to all parties removing litter from my farm or operation.

Laboratory Name	House	Date of Analysis	Total N	P <sub>2</sub> O <sub>5</sub> <sup>a</sup>	K <sub>2</sub> O <sup>b</sup>	Units
						lbs./Ton
						lbs./Ton
						lbs./Ton
						lbs./Ton

\*\*\* Attach laboratory results. If a new facility, provide the source of the estimates used. \*\*\*

#### Notes:

N = Nitrogen

P<sub>2</sub>O<sub>5</sub> = Phosphorus Oxide

K<sub>2</sub>O = Potassium Oxide

<sup>a</sup>If Phosphorus is expressed in analyses as Phosphorus (P), simply multiple P lbs. X 2.3 to convert to P<sub>2</sub>O<sub>5</sub>.

<sup>b</sup>If Potassium is expressed in analyses as Potassium (K), simply multiple K lbs. X 1.2 to convert to K<sub>2</sub>O.

### Mortality Management

Dead birds will be disposed of according to State and local laws in a way that does not adversely affect groundwater or create public health concern. All mortalities will be disposed of using:

<u>Composting</u>	Incineration	Rendering*	Other:
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*please circle one*

\*If rendering, include the name and address of renderer.:

### Closure Plan

In the event that poultry production at this location ceases, the following will be done in 360 days:

- Any litter/ compost currently in storage at the time of closure will be removed and spread elsewhere according to my current NMP.
- All litter in houses will be removed and spread elsewhere according to my current NMP.
- The most current manure analysis performed by an accredited laboratory will be provided to anyone removing litter on my farm.
- Any dead birds in the houses at the time of closure will be disposed of according to my NMP.



## Nutrient Management Plan - Poultry

Exporting 100% of Litter Generated

### 3. Best Management Practices/Conservation Practices

#### Best Management Practices/Conservation Practices for Production Areas

The following site-specific Best Management Practices (BMPs) and conservation practices will be implemented to minimize environmental impacts in production areas (*please indicate all that apply*). The design and implementation of the BMPs will meet minimum standards set in the NRCS Field Office Practice Standard and/or the NRCS Animal Waste Handbook.

- ☒ Buffer strips/filter strips
  - ☒ Silt fencing, riprap, stone gabions, or other structural erosion control
  - ☒ Maintain roads and heavy traffic areas
  - ☒ Proper manure/litter storage (i.e. under cover, prevents runoff)
  - ☒ Balanced diet/ration to prevent excessive nutrients in manure/litter
  - ☒ Regular inspections and maintenance of structures and equipment
  - ☒ General housekeeping (i.e. cleanup of waste/litter spills during transfers)
  - ☐ Other (*please describe in detail below, or attach additional pages as needed*):
- 
- 
- 

#### Diversion of Clean Water

I certify that:

- Uncontaminated stormwater runoff shall be diverted away from manure, litter, process wastewater, waste
- Clean water will be diverted, as appropriate, from the production area.
- Please provide a brief explanation/description of how clean water will be diverted below:

Barns are constructed on elevated  
pads.

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#### Facility Maintenance

The following maintenance activities will be performed at the facility (*please indicate all that apply*):

- ☒ Regular inspections, maintenance, and repair of structures, equipment, and vehicles
  - ☒ Replacement and upgrade of structures, equipment, and vehicles as needed
  - ☒ Regular training of facility personnel in maintenance/housekeeping techniques
  - ☒ Maintenance of vegetation (i.e. mowing, weeding, seeding)
  - ☐ Other (*please describe in detail below, or attach additional pages as needed*):
- 

\*If your facility has a separate Operation and Maintenance (O&M) Plan, please attach a copy.

## Nutrient Management Plan - Poultry

Exporting 100% of Litter Generated

### 4. Checklist

Use this sheet to help ensure that you have included all required items in order for your CAFO application and Nutrient Management Plan to be approved. Please attach the following items to this worksheet to complete your CAFO permit application.

#### Forms

- ✓ Signed revised Notice of Intent Form
- ✓ Signed Declarations to Nutrient Management Plan

#### Maps

- ✓ Full color map of Farm/ Operation Showing the Location of Barns/ Houses, Compost Bins, Litter Storage Bins, Nearby Roads, Streams, Wetlands, etc.
- ✓ Full color topographical map of the Farm/ Operation showing property lines and location of poultry houses.

#### Manure Analysis

- ✓ Annual Manure Analysis Performed by an Accredited Laboratory

Mail complete packet to:

Heidi McIntyre-Wilkinson, Environmental Specialist  
Ellington Agricultural Center - Holeman Building  
Nonpoint Source and CAFO Programs  
P.O. Box 40627  
Nashville, TN 37204

The completed packet can also be scanned and sent via electronic mail to:  
Heidi.McIntyre-Wilkinson@tn.gov

### 5. Certification

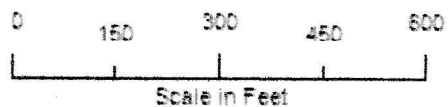
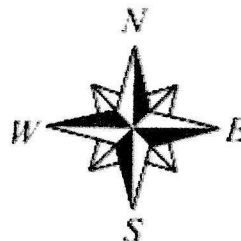
As the owner/operator, I am certifying that I am the decision-maker for this operation. All information included in my CAFO permit application packet is complete and accurate to the best of my knowledge. I understand that I am responsible for the implementation of the NMP and for maintaining all necessary records for the operation.

Signature: Harry Probst

Date: 4-18-17

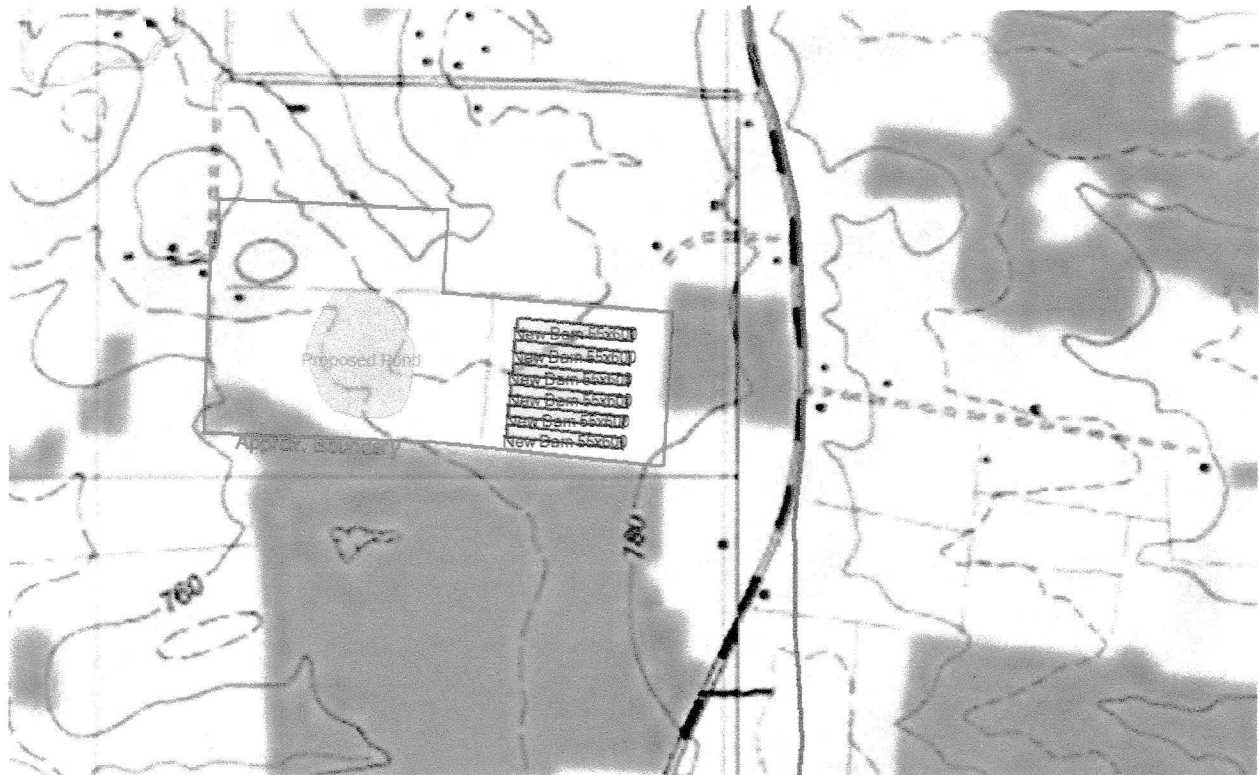


Soil Map Unit	●
Emergency Dead Bird Burial Pit	■
Windbreak	~
Mortality Composting Barn	□
New Chicken House	□
Proposed Pond	□
Approx. Boundary	~
soils	
photo	📷

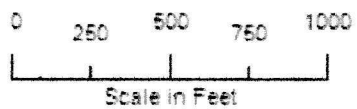
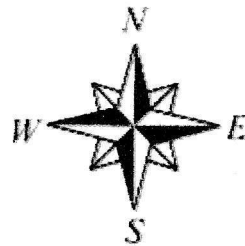


The pond will be formed due to soil material removal for building site leveling. An existing mortality composting facility owned and operated by Harvey's son, Corey, will be used for normal mortality disposal. This composting facility is shown in the bottom center of the map. A windbreak/shelterbelt will be constructed to reduce dust and odors especially to residences to the north on Montgomery Road.





New Chicken House	
Proposed Pond	
Approx. Boundary	
watershed	
topo	
photo	



Topo map of the proposed farmstead development.